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Attorney for Defendant  
DANIEL WALLACE SMITH

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. CR.S. 04-0366-WBS
	)	
Plaintiff,	)	
	)	<b>STIPULATION AND ORDER RE</b>
v.	)	<b>CONTINUANCE OF STATUS HEARING AND</b>
	)	<b>FINDINGS OF EXCLUDABLE TIME</b>
SHERYL DENISE DAVIS and DANIEL	)	
WALLACE SMITH,	)	DATE: August 3, 2005
	)	TIME: 9:00 a.m.
Defendant.	)	JUDGE: Hon. William B. Shubb
	)	

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DANIEL WALLACE SMITH, by and through his counsel, DENNIS S. WAKS, Supervising Assistant Federal Defender, defendant SHERYL DAVIS by and through her counsel, C. EMMETT MAHLE, and the United States Government, by and through its counsel, Matthew S. Stegman, Assistant United States Attorney, hereby agree that the status conference set for June 22, 2005 be continued to August 3, 2005 at 9:00 a.m. This continuance is requested because the Federal Defenders Office was recently appointed to this case and has just received over 1200 pages of discovery which will require additional time to review. The defendants in this case consent to this continuance.

Accordingly, all counsel, along with Mr. Smith and Ms. Davis agree that the time from June 22, 2005 through August 3, 2005 should be

1 excluded in computing the time within which trial must commence under  
2 the Speedy Trial Act, §3161(h)(8)(B)(iv) and Local Code T4. [reasonable  
3 time to prepare].

4 DATED: \_\_\_\_\_, 2005

5 Respectfully submitted,

6 QUIN DENVIR  
7 Federal Defender

8 /S/ Dennis S. Waks

9 \_\_\_\_\_  
10 DENNIS S. WAKS  
Supervising Assistant Federal Defender  
Attorney for Defendant  
DANIEL WALLACE SMITH

11 DATED: \_\_\_\_\_, 2005

12 /S/ Dennis S. Waks for

13 \_\_\_\_\_  
14 EMMETT MAHLE, Esq.  
Attorney for Defendant  
SHERYL DAVIS

15  
16 MCGREGOR SCOTT  
United States Attorney

17 DATE: \_\_\_\_\_, 2005

18 /S/ Dennis S. Waks for

19 \_\_\_\_\_  
20 MATTHEW S. STEGMAN  
Assistant United States Attorney

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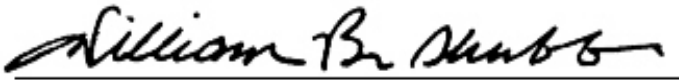
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. CR.S. 04-0366-WBS
	)	
Plaintiff,	)	
	)	<b>ORDER RE CONTINUANCE OF STATUS</b>
v.	)	<b>HEARING AND FINDINGS OF</b>
	)	<b>EXCLUDABLE TIME</b>
SHERYL DENISE DAVIS and DANIEL	)	
WALLACE SMITH,	)	DATE: August 3, 2005
	)	TIME: 9:00 a.m.
Defendant.	)	JUDGE: Hon. William B. Shubb
	)	

**ORDER AND FINDINGS**

The new status conference is set for August 3, 2005 at 9:00 a.m.  
The court finds that the interests of justice are best served and the public interest is protected by granting the continuance in the above-captioned matter. Accordingly, time under the Speedy Trial Act is excluded from June 22, 2005, through August 3, 2005, in computing the time within which trial must commence under the Speedy Trial Act, pursuant to Title 18 U.S.C. § 3161(h)(8)(B)(iv) and Local Code T4. (reasonable time to prepare.)

DATED: June 20, 2005

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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